

Summaries of Passed Bills

Relating to Political Subdivisions

2007 General Session

H.B. 65 Special and Local Districts Amendments *(Rep. B. Dee)*

This bill modifies provisions relating to special districts and local districts.

This bill:

- ▶ substantially rewrites, reorganizes, and renumbers provisions related to independent special districts and dependent special districts known as county improvement districts and municipal improvement districts;
- ▶ consolidates and standardizes provisions relating to district authority, including taxing, bonding, and eminent domain authority, district boards of trustees, actions contesting a district resolution or other action, local district validation proceedings, and other matters, and repeals redundant or inconsistent provisions;
- ▶ changes terminology applicable to entities previously known as independent special districts, except special service districts, so that they will be known as local districts;
- ▶ changes terminology applicable to what have previously been known as county improvement districts and municipal improvement districts so that they will be known as assessment areas;
- ▶ expands the entities that are authorized to designate assessment areas from counties and municipalities to include local districts and special service districts;
- ▶ authorizes the creation of a new type of limited purpose local government entity known as a basic local district and provides for its authority and the makeup of its board of trustees;
- ▶ authorizes the creation of a local district by another local district whose boundaries completely encompass the proposed local district if the proposed local district is being created to provide one or more components of the same service that the initiating local district is authorized to provide;
- ▶ extends eminent domain authority to cemetery maintenance districts and standardizes language related to the eminent domain authority of all local districts that have eminent domain authority;
- ▶ authorizes local districts to acquire, lease, or construct and operate electrical generation, transmission, and distribution facilities if the facilities are to harness energy that results inherently from the district's operations, the primary purpose of the facilities is incidental to the district's primary operations, and the operation of the facilities will not hinder or interfere with the district's primary operations;
- ▶ modifies the types of services that local districts may provide;
- ▶ eliminates a redundant provision regarding the circumstances under which a local district is conclusively presumed to be incorporated;
- ▶ modifies a provision prohibiting board of trustees members from being employed by the local district and provides an exception for remote districts;
- ▶ authorizes a local district's board of trustees to determine the district's fiscal year;
- ▶ authorizes local districts to combine a notice and hearing related to the district's budget with the notice and hearing on a proposed fee increase;
- ▶ authorizes local districts to charge on a single bill for multiple commodities, services, or facilities the district provides and to suspend furnishing the commodity, service, or facility for a customer's failure to pay;
- ▶ authorizes local districts to certify delinquent fees or charges to the county treasurer so that they become a lien on the customer's property;
- ▶ increases the debt limit of a former regional service area from 5% to 12% of the value of taxable property in the service area;
- ▶ modifies who appoints members to the board of trustees of certain cemetery maintenance districts;
- ▶ increases the debt limit of a cemetery

- ▶ maintenance district from .0001 to .004 of the value of taxable property in the district;
- ▶ increases the debt limit of a mosquito abatement district from .0001 to .0004 of the value of taxable property in the district;
- ▶ modifies the calculation of the debt limit of a drainage district from \$1.50 per acre to .002 of the value of taxable property in the district;
- ▶ establishes a debt limit for basic local districts;
- ▶ modifies the basis for calculating the debt limit of some districts from taxable value to fair market value;
- ▶ allows a municipality within an improvement district to elect not to appoint a member to the board of trustees and participate instead in the election of board members;
- ▶ provides an exception to a residency requirement for board of trustees members in a district with a specified percentage of seasonally occupied homes;
- ▶ eliminates county legislative body approval as a requirement for a drainage district to levy a property tax;
- ▶ expands the authority of drainage districts to incur debt and authorizes them to incur long-term debt;
- ▶ modifies a provision relating to fire protection districts boards of trustees;
- ▶ authorizes mosquito abatement districts to establish a reserve fund for extraordinary abatement measures;
- ▶ authorizes local districts to allow another political subdivision to use surplus capacity or have an ownership interest in district facilities for monetary, nonmonetary, or no consideration;
- ▶ authorizes local districts to allow another political subdivision or a public or private property owner to use the surface of land on which the district has a right-of-way, for monetary, nonmonetary, or no consideration;
- ▶ validates existing fire protection district boards of trustees;
- ▶ modifies provisions relating to the board of trustees of a metropolitan water district;
- ▶ modifies the area within which a mosquito abatement district may provide service;

- ▶ eliminates a public transit district provision relating to labor dispute arbitration;
- ▶ transforms a former regional service area into a service area and makes the former regional service area subject to provisions applicable to service area;
- ▶ rewrites and modifies powers of water conservancy districts and other political subdivisions to enter into agreements related to water and water works;
- ▶ rewrites and consolidates provisions relating to different classes of water conservancy district assessments;
- ▶ authorizes a local government entity to finance operation and maintenance costs of improvements through an assessment area;
- ▶ authorizes a local government entity to add additional property to a designated assessment area under certain circumstances;
- ▶ authorizes a local government entity to issue bond anticipation notes with respect to anticipated bonds secured by property in an assessment area;
- ▶ authorizes the levy of assessments in an assessment area by zones;
- ▶ modifies provisions related to a board of equalization with respect to assessments levied in an assessment area;
- ▶ authorizes a local government entity to designate a trustee for purposes of foreclosing a lien after a delinquency;
- ▶ modifies provisions relating to a guaranty fund and reserve fund for paying obligations relating to an assessment area;
- ▶ allows property owners to waive requirements applicable to the designation of an assessment area and the levying of an assessment in an assessment area; and
- ▶ makes technical and conforming changes.

H.B. 69 County and Municipal Land Use Provisions Regarding Schools (Rep. L. Wiley)

This bill modifies county and municipal land use provisions relating to schools.

This bill:

- ▶ adds additional building inspections to a list of requirements that a county and municipality may not impose on school districts or charter

- schools;
- ▶ modifies the criteria for an improvement project for which a county and municipality may not require a school district or charter school to pay an impact fee;
- ▶ clarifies that a school district building inspector that a school district or charter school may use is, for the school district, the school district's inspector or, for the charter school, the building inspector from the district in which the charter school is located; and
- ▶ makes technical changes.

H.B. 98 County Option Sales and Use Tax for Highways, Fixed Guideways, or Systems of Public Transit Amendments (Rep. C. Frank)

This bill modifies the Local Government Bonding Act, the Sales and Use Tax Act, and the Transportation Finances Act by amending provisions relating to certain transportation local option sales and use tax provisions.

This bill:

- ▶ provides definitions;
- ▶ provides that a local political subdivision may issue negotiable bonds to pay for all or part of:
 - new construction, renovation, or an improvement to a state highway within the local political subdivision's boundaries; or
 - an environmental study for a state highway within the local political subdivision's boundaries;
- ▶ provides that a city, town, or county may use certain imposed excise tax revenues as an estimate to determine certain bond payment requirements;
- ▶ authorizes sales and use tax revenues generated by the County Option Sales and Use Tax for Highways, Fixed Guideways, or Systems of Public Transit to be used on local highway projects of regional significance;
- ▶ provides that funds allocated for state highway projects within the county may be expended on local highway of regional significance projects in addition to or in substitution of state highway projects within the county by counties that imposed the sales and use tax prior to July 1, 2007;

- ▶ requires the department to transfer funds to the county legislative body from the Highway Projects Within Counties Fund if the county legislative body submits a written request; and
- ▶ makes technical changes.

H.B. 103 Statewide Mutual Aid Act (Rep. C. Oda)

This bill enacts provisions related to a statewide mutual aid system among political subdivisions of the state.

This bill:

- ▶ establishes a statewide mutual aid system among participating political subdivisions that provide public safety service;
- ▶ defines terms;
- ▶ establishes a statewide mutual aid committee, provides for its membership, terms, and procedures, and prohibits compensation for its members;
- ▶ allows a county, municipality, or public safety special district or interlocal entity to withdraw from the statewide mutual aid system;
- ▶ provides for the duties of participating political subdivisions;
- ▶ establishes a process for a participating political subdivision to request assistance from another participating political subdivision;
- ▶ provides for reimbursement to be paid to a responding political subdivision;
- ▶ establishes rules applicable to personnel who respond to a request for assistance; and
- ▶ enacts a severability provision.

H.B. 108 Transportation Study - East-west Corridors in Salt Lake County and Counties of the Second Class (Rep. R. Bigelow)

This bill requires the Department of Transportation to complete a study of east-west transportation improvements in Salt Lake County and counties of the second class.

This bill:

- ▶ requires the Department of Transportation to study the need for east-west transportation improvements in Salt Lake County and counties of the second class; and
- ▶ requires the department to report study findings to the Legislature prior to September 30, 2008.

This bill appropriates:

- ▶ for fiscal year 2006-07 only, \$3,500,000 from the General Fund to the Department of Transportation.

H.B. 117 Transfer of Density (Rep. G. Froerer)

This bill modifies county and municipal land use, development, and management provisions relating to the transfer of development rights.

This bill:

- ▶ authorizes counties and municipalities to designate areas as sending and receiving zones and to allow the transfer of development rights from a landowner in a sending zone to a landowner in a receiving zone;
- ▶ defines terms; and
- ▶ makes technical changes.

H.B. 129 Land Use Provisions (Rep. M. Morley)

This bill modifies county and municipal land use development and management provisions.

This bill:

- ▶ modifies the standard that county and municipal land use authorities use in determining whether to vacate, alter, or amend a plat; and
- ▶ modifies the county and municipal officials who are involved in the process of vacating or altering a street or alley.

H.B. 135 Utah Uniform Building Standards Act Amendments (Rep. L. Wiley)

This bill modifies provisions of the Utah Uniform Building Standards Act related to unlawful and unprofessional conduct by building inspectors and factory built housing dealers and provides penalties for that conduct, to include the issuing of citations to violators by the Division of Occupational and Professional Licensing.

This bill:

- ▶ defines unlawful and unprofessional conduct for purposes of the Utah Uniform Building Standards Act, specifically as related to building inspectors and factory built housing set-up contractors;
- ▶ provides the Division of Occupational and Professional Licensing with authority to issue citations to persons who violate the unlawful conduct provisions of the Utah Uniform Building Standards Act;

- ▶ provides grounds for the immediate suspension of a licensee's license by the division to include the issuance of a citation for violations of unlawful conduct;
- ▶ provides that the division may issue cease and desist orders and assess fines for violating the unlawful conduct provisions of the Utah Uniform Building Standards Act; and
- ▶ provides a procedure for the collection of unpaid fines.

H.B. 164 Charter School Amendments (Rep. R. Bigelow)

This bill modifies provisions relating to charter schools.

This bill:

- ▶ provides definitions;
- ▶ modifies charter school application and authorization provisions;
- ▶ modifies certain requirements for charter schools, including those relating to charter school assets and school closures;
- ▶ modifies charter school funding provisions;
- ▶ regulates certain transactions and relationships relating to charter schools;
- ▶ requires the State Board of Education and the State Charter School Board to develop a joint proposal and submit the proposal to the Executive Appropriations Committee;
- ▶ makes a nonlapsing appropriation; and
- ▶ makes technical corrections.

This bill appropriates:

- ▶ as an ongoing appropriation subject to future budget constraints, \$35,971,488 from the Uniform School Fund for fiscal year 2007-08 to the State Board of Education for charter schools;
- ▶ \$9,500,000 from the Uniform School Fund for fiscal year 2007-08 only to the State Board of Education for charter schools; and
- ▶ \$6,000,000 from the Uniform School Fund for fiscal year 2007-08 only to the Charter School Building Subaccount within the School Building Revolving Account.

H.B. 176 Certain County Debt Forgiven (Rep. D. Clark)

This bill forgives certain loans for disaster relief outstanding as of June 30, 2007.

This bill:

- ▶ forgives loans issued for disaster relief that are outstanding on June 30, 2007; and
- ▶ makes technical and conforming changes.

H.B. 188 Easements - Counties and Municipalities (Rep. A. Tilton)

This bill addresses the realignment of easements acquired by a county or municipality.

This bill:

- ▶ allows a property owner to realign certain easements acquired by a county or municipality using eminent domain powers at the owner's expense; and
- ▶ makes technical changes.

H.B. 200 Standardizing Documents Filed with County Recorder (Rep. C. Frank)

This bill modifies provisions relating to county recorders.

This bill:

- ▶ establishes requirements for documents submitted for recording with the county recorder's office;
- ▶ authorizes county recorders to establish certain standards for documents submitted for recording with the county recorder's office;
- ▶ requires a county recorder who intends to establish those standards to provide notice and an effective date at least three months after the notice;
- ▶ authorizes county recorders to charge and collect an additional fee for documents that fail to comply with formatting requirements;
- ▶ provides exceptions to the requirements for certain documents; and
- ▶ makes technical changes.

H.B. 210 County Sheriff Qualification Amendments (Rep. B. Dee)

This bill modifies Title 17, Counties, regarding the probationary period for appointed county law enforcement officers.

This bill:

- ▶ changes the probationary period for a peace officer appointed to serve as a county deputy sheriff from six months to one year; and
- ▶ makes technical changes.

H.B. 238 Municipal Telecommunications License Tax Amendments (Rep. W. Harper)

This bill amends the Municipal

Telecommunications License Tax Act to address the rate at which the tax is imposed or collected, to address notice requirements, and to repeal obsolete language.

This bill:

- ▶ beginning on July 1, 2007, reduces the municipal telecommunications license tax rate from a maximum rate of 4% to a maximum rate of 3.5%;
- ▶ exempts a municipality from providing notice to the State Tax Commission before changing the rate of a municipal telecommunications license tax under certain circumstances;
- ▶ modifies notice requirements for a municipality to change the rate of a municipal telecommunications license tax under certain circumstances;
- ▶ addresses the rate at which the State Tax Commission shall collect a municipal telecommunications license tax;
- ▶ repeals obsolete language requiring a report on rate information; and
- ▶ makes technical changes.

H.B. 247 Special Service District Authority to Provide Jail Facilities (Rep. J. Mathis)

This bill modifies provisions relating to special service districts that are authorized to provide jail facilities.

This bill:

- ▶ modifies a provision authorizing a special service district to provide jail facilities so that it applies to all special service districts, not just those in a county of the first class; and
- ▶ limits application of certain administrative control board provisions to special service districts providing jail service that are established by counties of the first class.

H.B. 285 Land Use Development Management Act Amendments (Rep. A. Tilton)

This bill modifies county and municipal land use development and land use provisions relating to subdivision plats.

This bill:

- ▶ clarifies that the subdivision plat approval of an owner or operator of underground and utility facilities does not:
 - warrant or verify the location of those facilities; or
 - affect the owner or operator's rights.

H.B. 335 Local Government - Charitable Contributions (Rep. B. Dee)

This bill modifies a provision relating to county assistance to nonprofit entities.

This bill:

- ▶ clarifies that a county may use its own funds or funds the county receives from the state or any other source in providing monetary assistance to a nonprofit entity; and
- ▶ makes technical changes.

H.B. 337 Local Government Post-employment Benefit Trust Funds Amendments (Rep. K. Grover)

This bill modifies the State Money Management Act by amending provisions related to local government other post-employment benefits trust funds.

This bill:

- ▶ provides that local government other post-employment benefits trust funds are exempt from the requirements to invest monies in certain assets;
- ▶ defines certain terms;
- ▶ requires all local government other post-employment benefits trust fund monies in the custody of a public treasurer to be established in a separate trust fund;
- ▶ requires monies in a local government OPEB trust fund to be deposited or invested in certain types of assets that meet certain criteria;
- ▶ provides that the state treasurer may develop and offer a variety of asset allocation options for monies in an OPEB trust fund and review the options for efficiency as needed;

- ▶ allows the state treasurer to charge an administrative fee for cost incurred in the management of local government OPEB funds within an asset allocation option; and
- ▶ makes technical changes.

H.B. 347 Municipal Election Law Provisions (Rep. D. Aagard)

This bill modifies provisions of the Election Code.

This bill:

- ▶ makes technical amendments;
- ▶ modifies definitions;
- ▶ moves the date of the municipal primary election from October to September;
- ▶ modifies provisions governing the days and hours of poll operation for early voting in local special elections, municipal primary elections, and municipal general elections;
- ▶ provides that use of machines that provide disability access is not required for early voting in local special elections, municipal primary elections, and municipal elections;
- ▶ permits municipalities to combine up to four voting precincts into a single precinct for voting purposes in municipal elections;
- ▶ provides that the use of electronic voting machines is not required for municipal primary elections or municipal general elections;
- ▶ permits poll workers who are assigned to a voting precinct during a municipal election to reside within the county, rather than within the precinct they are assigned to; and
- ▶ adjusts the deadline for filing declarations of candidacy and nomination petitions for municipal elections.

H.B. 352 Local Government Regulation of Billboards (Rep. M. Brown)

This bill modifies county and municipal land use development and management provisions relating to billboards.

This bill:

- ▶ provides that a county or municipality is considered to have initiated the acquisition of a billboard structure by eminent domain if the county or municipality prevents a billboard owner from structurally modifying or upgrading

- a billboard or relocating a billboard to another specified location;
- ▶ provides that a relocated billboard may be erected to a certain height and angle;
- ▶ clarifies a provision allowing for a county or municipal issued billboard permit to remain valid until a period after a required state permit is issued; and
- ▶ makes technical changes

H.B. 362 Annexation Amendments (Rep. G. Hughes)

This bill modifies provisions relating to municipal annexations.

This bill:

- ▶ changes a time period before which a public hearing on a proposed annexation may not be held from 60 to 30 days after adoption of a resolution proposing the annexation;
- ▶ authorizes a municipality to adopt an annexation ordinance without allowing or considering protests if the owners of 75% of the land with 75% of the value have consented to the annexation;
- ▶ modifies the protest threshold for a certain type of annexation;
- ▶ eliminates the requirement of county legislative body approval for a certain type of annexation;
- ▶ modifies the criteria for a municipality to annex an unincorporated island or peninsula without an annexation petition;
- ▶ prohibits a municipality from annexing an area that is within the conical surface area of an airport operated or to be operated by another municipality without that other municipality's consent;
- ▶ prohibits a municipality that does not consent to an annexation by another municipality of an area that is within the conical surface area of the municipality's airport from denying an annexation petition proposing the annexation of that same area to that municipality;
- ▶ exempts certain annexations from provisions relating to the effective date of annexations; and
- ▶ establishes an immediate conclusive presumption in favor of annexations that have been finalized without allowing or considering protests.

H.B. 365 Eminent Domain Authority of Community Development and Renewal Agencies (Rep. S. Urquhart)

This bill modifies provisions relating to community development and renewal agencies.

This bill:

- ▶ authorizes community development and renewal agencies to acquire property by eminent domain in an urban renewal project area under certain circumstances and in an earlier established project area if, under prior law, the agency made a finding of blight and other conditions are met;
- ▶ conditions an agency's authority to acquire by eminent domain single-family owner occupied residential property or commercial property on the owner's consent or on a petition by other property owners and a 2/3 vote of the agency board;
- ▶ modifies requirements for notice of a blight hearing;
- ▶ imposes prerequisites on community development and renewal agencies before they may acquire property by eminent domain;
- ▶ authorizes a property owner to bring a civil action against a community development and renewal agency for the agency's violation of a requirement to provide a written declaration;
- ▶ requires an agency to keep a record of its good faith negotiations with the property owner; and
- ▶ authorizes a court to award court costs, attorney fees, relocation expenses, and compensation for damage to fixtures or other personal property.

H.B. 462 County Personnel Management Act (Rep. D. Litvack)

This bill modifies a provision of the County Personnel Management Act.

This bill:

- ▶ adds an exemption from career service provisions for employees appointed to perform limited duration work or work with limited funding.

H.B. 466 Incorporation of a Town Amendments (Rep. M. Brown)

This bill modifies a provision relating to the incorporation of a town.

This bill:

- ▶ modifies the requirements applicable to a petition for incorporation as a town;
- ▶ requires each county that receives a petition representing 1/2 or less of the property value in the area proposed to be incorporated as a town to commission and pay for a feasibility study;
- ▶ with respect to a petition representing 1/2 or less of the property value in the area proposed to be incorporated, authorizes a county to grant the petition, deny the petition, or, with the consent of the petition sponsors, grant the petition with conditions or alterations;
- ▶ requires counties of the second, third, fourth, fifth, or sixth class to grant a petition that represents over 1/2 of the property value in the area proposed to be incorporated as a town;
- ▶ modifies the process of appointing the mayor and council members in a newly incorporated town to require the officials to be selected from a list provided by petition sponsors; and
- ▶ requires a newly incorporated town to operate under a six-member council form of government.

S.B. 30 Creation of New School District

Amendments (Sen. C. Walker)

This bill modifies provisions related to the creation of a new school district.

This bill:

- ▶ adds a vote to elect school district board members resulting from the creation of a new school district to the list of special elections that a local political subdivision may call;
- ▶ adds a definition relating to the creation of a new school district;
- ▶ provides a process for certifying the creation of a new school district and establishes the date that the new district is created;
- ▶ clarifies the duties of a new district and the district from which the new district was created with respect to providing educational services;
- ▶ makes exceptions to requirements applicable to a proposal by interlocal agreement participants to create a new school district where the proposal would otherwise geographically isolate an area within a municipality that is served by a separate school district;

- ▶ provides for the election of school district board members of a new school district and of the school district from which the new district was created, and provides for the terms of those members;
- ▶ establishes a process for allocating the property of an existing school district between a newly created district and the school district from which it was created, including:
 - transition teams to represent the new district and the district from which the new district was created; and
 - a requirement that disputes about the allocation of property be decided by binding arbitration;
- ▶ shifts from the board of a new school district to the board of the district from which the new district was created the responsibility to continue to levy a tax on property in the new district to pay the new district's proportionate share of bonds issued before the new district was created;
- ▶ prohibits a school district board from issuing bonds approved but not issued before the creation of a new district under certain circumstances;
- ▶ authorizes a mayor or the mayor's designee of a municipality that is partly or entirely within the boundaries of a school district to attend and participate in school board meetings;
- ▶ requires local school boards to give notice of board meetings to the mayor or the mayor's designee of each municipality that is partly or entirely within the boundaries of the school district; and
- ▶ makes technical, conforming, and clarifying changes.

S.B. 41 Local Issues Amendments (Sen. C. Walker)

This bill modifies a provision relating to a form of municipal government and creates the Local Issues Task Force.

This bill:

- ▶ prohibits the establishment of a manager form of municipal government until May 5, 2008;
- ▶ requires the repeal of an ordinance establishing a manager form of government if adopted on or

after January 1, 2007; and

- ▶ creates the Local Issues Task Force, providing for membership and compensation of members and duties of the task force and requiring a report to the Political Subdivisions Interim Committee.

This bill appropriates:

- ▶ \$4,000 to the Senate; and
- ▶ \$11,000 to the House of Representatives.

S.B. 69 Local Transportation Corridor Preservation Fund Amendments (Sen. S. Killpack)

This bill modifies the Transportation Finances Act by amending provisions relating to the Local Transportation Corridor Preservation Fund.

This bill:

- ▶ clarifies that the Local Transportation Corridor Preservation Fund shall be used to preserve highway corridors;
- ▶ requires the county's council of governments to establish a priority list of highway corridor preservation projects within the county and obtain approval of the list from the county's legislative body;
- ▶ provides that a county's council of governments may only submit one priority list of highway corridor preservation projects within the county per calendar year and the county legislative body may only consider and approve one priority list of highway corridor preservation projects per calendar year;
- ▶ provides that a highway authority may not apply for monies to purchase a right-of-way for a state highway unless the highway authority has:
 - a transportation corridor property acquisition policy or ordinance in effect that meets federal requirements; and
 - an access management policy or ordinance in effect that meets certain requirements; and
- ▶ makes technical changes.

S.B. 71 County Recorder Amendments (Sen. D. Stowell)

This bill modifies provisions relating to county recorders and documents submitted to county recorders for recording.

This bill:

- ▶ clarifies that a document relating to parcels

designated as a community area is to be treated the same as a document relating to a parcel designated as a common area;

- ▶ eliminates a requirement that fidelity bonds be recorded;
- ▶ modifies procedures and requirements applicable to the recording of documents;
- ▶ modifies procedures applicable to a subdivision plat that includes a public utility easement;
- ▶ provides an affidavit form for the termination on an interest in real estate; and
- ▶ makes permissible rather than mandatory a county recorder's refusal to accept for recording a document that fails to comply with applicable requirements.

S.B. 94 Use of Mineral Lease Funds by Special Service Districts (Sen. M. Dmitrich)

This bill modifies a provision relating to the services that special service districts may provide.

This bill:

- ▶ authorizes special service districts to spend mineral lease funds on providing construction and maintenance of public facilities, traditional government services, and planning, as a means for mitigating the impacts from extractive mineral industries; and
- ▶ repeals language allowing special service districts to use mineral lease funds on certain economic development activities.

S.B. 98 Governmental Immunity for Trails (Sen. D. C. Buttars)

This bill modifies the Governmental Immunity Act of Utah, the Water and Irrigation Title, and the Judicial Code to amend provisions related to immunity for certain trails along a ditch, canal, stream, or river and to amend immunity provisions for inherent risks of certain activities.

This bill:

- ▶ provides that governmental immunity is not waived for a pedestrian or equestrian trail that is along a ditch, canal, stream, or river, regardless of ownership or operation of the ditch, canal, stream, or river, if the trail is designated under a general plan adopted by a municipality or a county and other requirements are met;
- ▶ provides that the owner or operator of a ditch,

canal, stream, or river property is immune from suit if:

- the damage or personal injury results from the use of a pedestrian or equestrian trail that is along a ditch, canal, stream, or river;
 - the trail is designated under a general plan adopted by a municipality or county; and
 - the trail right-of-way owner has a written agreement with the municipality or county opening the right-of-way to public use;
- requires the written agreement to provide that the owner of the right-of-way where the trail is located has, at minimum, the same level of immunity as the governmental entity from suit in connection with or resulting from the use of the trail;
- amends the definition of recreational activity, used in connection with inherent risks of certain recreational activities, to include walking, running, and jogging;
- provides that a person who is injured or suffers property damage while participating in a recreational activity may not seek recovery from the owner of property that is made available to a county, municipality, special district, or local district for recreational activity purposes; and
- makes technical changes.

S.B. 119 Municipal License Fee or Tax on Public Assembly Facilities (Sen. B. Goodfellow)

This bill modifies a provision relating to a municipal license fee or tax on public assembly facilities.

This bill:

- increases the maximum per ticket license fee or tax that a municipality may impose on a public assembly facility from \$1 to \$5;
- clarifies that a municipality may not impose a license fee or tax on a public assembly facility owned and operated by another political subdivision, other than a community development and renewal agency, without written consent; and
- makes technical changes.

S.B. 158 B and C Roads Amendments (Sen. D. Stowell)

This bill modifies the Transportation Code by

amending provisions relating to B and C roads.

This bill:

- authorizes a county or municipality to use the Federal Emergency Management Agency schedule of equipment rates when providing an accounting of costs and expenditures for an improvement performed by force account on a class B or C road; and
- makes technical changes.

S.B. 163 Amendments to Municipal and County Land Use (Sen. D. Stowell)

This bill modifies county and municipal land use development and management provisions relating to plat approval.

This bill:

- defines "fire authority"; and
- encourages counties and municipalities to receive a recommendation from the fire authority before approving a plat.

S.B. 170 Distribution of Local Sales and Use Tax Revenues (Sen. G. Davis)

This bill amends the Local Sales and Use Tax Act to modify the distribution of revenues collected from the tax.

This bill:

- modifies the calculation of the minimum tax revenue distribution certain counties, cities, and towns receive; and
- makes technical changes.

S.B. 179 Immunity of Counties and Municipalities for Sky Diving Activities (Sen. B. Goodfellow)

This bill provides immunity for counties and municipalities for skydiving activities.

This bill:

- provides that no person may make a claim against or recover from a county, municipality, or independent special district for personal injury or property damage resulting from the inherent risks of skydiving.

S.B. 183 Restrictions on Designation of Wetlands (Sen. S. Killpack)

This bill enacts provisions relating to county and municipal land use and development authority.

This bill:

- ▶ prohibits counties and municipalities from designating or treating land as wetlands unless the land has been designated as wetlands by an agency of the federal government.

S.B. 188 Wildlife Resources Conservation Easement Restricted Account (Sen. D. Stowell)

This bill creates the Wildlife Resources Conservation Easement Restricted Account.

This bill:

- ▶ creates within the General Fund a restricted account consisting of grants and donations from foundations, the Quality Growth Commission, local governments, the state, the federal government, and landowners; and
- ▶ specifies that the monies in the restricted account are to be used to monitor and manage conservation easements held by the Division of Wildlife Resources.

S.B. 197 Local Initiative and Petition Ballot Titles (Sen. P. Knudson)

This bill modifies Election Code provisions related to ballot titles for local initiatives and local referendums.

This bill:

- ▶ provides that a local attorney that drafts a ballot title for a local initiative or referendum shall:
 - prepare a proposed ballot title;
 - permit the local legislative body and the sponsors of the petition to submit written comments on the proposed ballot title; and
 - review the written comments when preparing a final ballot title;
- ▶ provides procedures and a time line for preparation of the ballot title;
- ▶ permits the local legislative body to appeal the local attorney's determination of a ballot title;
- ▶ provides that the Supreme Court may be permitted to certify a local ballot title upon appeal, rather than requiring the Supreme Court to do so; and
- ▶ makes technical changes.

S.B. 215 Amendments to Land Use Development and Management Act (Sen. G. Bell)

This bill modifies county and municipal land use,

development, and management provisions.

This bill:

- ▶ modifies language relating to the purposes of the county and municipal land use, development, and management provisions;
- ▶ enacts provisions relating to a county or municipality's processing of a land use application; and
- ▶ modifies the standard that applies in determining the validity of a county or municipal decision, ordinance, or regulation.

S.B. 218 Community Development and Renewal Agency Amendments (Sen. C. Bramble)

This bill modifies provisions relating to community development and renewal agencies.

This bill:

- ▶ modifies the definition of urban renewal to include environmental remediation;
- ▶ modifies the definition of base taxable value to mean, for a project on an inactive industrial site, the year after the date the inactive industrial site is sold for remediation and development;
- ▶ expands the permissible uses of tax increment to cover environmental remediation activities that occur both after and before adoption of a project area plan;
- ▶ provides an exception to blight study and blight hearing requirements for agencies that find blight based on a finding relating to an inactive industrial site;
- ▶ prohibits a taxing entity committee from disapproving an agency's finding of blight unless the committee demonstrates that the blight conditions the agency found to exist in the urban renewal project area do not exist;
- ▶ authorizes the taxing entity committee to hire a consultant to assist in the taxing entity committee's approval or disapproval of an agency's finding of blight, requires the agency to pay the consultant's expenses, and makes the consultant's findings binding;
- ▶ modifies the amount of tax increment an agency board may provide in a project area budget for the agency to be paid for an urban renewal project area plan that proposes development of an inactive industrial site;
- ▶ makes an exception to a combined incremental

value limit if the budget is based on a project area where a finding of blight is made because of the presence of a superfund site or an inactive industrial site;

- ▶ authorizes an agency to use certain tax increment funds for relocating mobile home park residents who are displaced;
- ▶ eliminates taxing entity committee and community legislative body consent requirements for the use of tax increment and sales tax proceeds for certain improvements undertaken in connection with a community development project area plan;
- ▶ modifies a provision related to the collection of a taxing entity's tax increment if the taxing entity elects not to have its tax increment collected and used for other taxing entities;
- ▶ clarifies that a contest period applies also to a resolution regarding the use of tax proceeds; and
- ▶ makes technical changes.

S.B. 232 Military Installation Development

Authority (Sen. S. Killpack)

This bill enacts provisions related to the Military Installation Development Authority.

This bill:

- ▶ creates a separate, independent, nonprofit body corporate and politic known as the Military Installation Development Authority;
- ▶ provides for an appointed board to govern the authority;
- ▶ provides for the authority's powers;
- ▶ authorizes an authority to develop military land, use tax increment, and issue bonds;
- ▶ exempts an authority from land use laws;
- ▶ provides a process for an authority to adopt a project area plan;
- ▶ provides for budgeting, auditing, and financial reports; and
- ▶ enacts provisions relating to an authority's dissolution.

S.B. 246 Government Law Changes (Sen. S. Killpack)

This bill modifies provisions in the Lobbyist Disclosure and Regulation Act, the Utah Public Officers' and Employees' Ethics Act, and the

campaign finance requirements of the Election Code.

This bill:

- ▶ requires that officeholders file annual campaign finance summary reports;
- ▶ provides and modifies definitions;
- ▶ removes reporting exemptions from certain travel, lodging, and meal expense reimbursements;
- ▶ clarifies disclosure requirements for public officials, elected officials of local governments, and certain state employees under the Lobbyist Disclosure and Regulation Act;
- ▶ requires that financial expenditure reports be filed on a quarterly schedule;
- ▶ requires the report due on January 10 to list total expenditures for the previous year;
- ▶ permits financial reports to be filed electronically, consistent with current practice;
- ▶ requires that lobbyists file quarterly expense reports even when no expenses have been made;
- ▶ requires that lobbyists and principals be subject to reporting requirements until they cease lobbying;
- ▶ requires a lobbyist, principal, government officer, or member of a lobbyist group to disclose a recipient's name, the amount of the benefit conferred on each recipient, and other information for the following:
 - reimbursement or payment for travel or lodging costs;
 - the cost of admission to a professional or collegiate sporting event;
 - the cost of tangible personal property, if the aggregate daily expenditures made for the recipient are more than \$10;
 - the cost of food and beverage, if the aggregate daily expenditures made for the recipient are valued at more than \$50; and
 - the cost of any other expenditure, if the aggregate daily expenditures made for the recipient are more than \$50;
- ▶ provides that other reportable expenditures are reported by public official type, rather than by name;
- ▶ establishes conflict of interest standards for

- lobbyists;
- modifies a provision in the Public Officers' and Employees' Ethics Act; and
- makes technical changes.

S.B. 261 Disposition of Real Property (Sen. W. Niederhauser)

This bill addresses the disposition of property by a county or municipality.

This bill:

- requires the disposition of property by a county or municipality to be in the public interest;
- addresses a county's or municipality's disposal of property acquired by exaction; and
- makes technical changes.